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MM 99-25

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MAR 06 2000

January 13, 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Mr. Edward O. Fritts
President & CEO
National Association of Broadcasters
1771 N Street, N.W.
Washington, DC 20036-2891

Re: MM Docket No. 99-25, Low Power Radio

Dear Mr. Fritts:

I am writing in response to your letter of January 12, 2000. You ask that I direct Commission staff to answer a series of questions posed in your letter about the details of a proposed low power FM radio service. You further request that I delay Commission consideration of any such proposal until we have provided you with those answers. You base your requests, in part, on the need for "NAB to determine whether a low power service could be instituted"

I note that the issues raised in your letter have been the subject of extensive public comment, and have been thoroughly discussed in meetings, written submissions, and other ex parte communications that have occurred in accordance with our rules over the last two years. I can assure you that our staff has carefully considered all of the issues raised in your letter and that the staff's proposal to the Commission reflects that consideration. And I know that you share my respect for the meticulous review that my fellow commissioners and their staffs will give to the proposal, and to the issues you raise, as they consider this matter.

Further, I trust you will agree that the prolonged duration of this proceeding has given the NAB ample opportunity to participate, and that the NAB has more than taken advantage of that opportunity. The initial petition for rule making in this matter was placed on public notice by the Commission on February 5, 1998, almost two years ago. Following extensive public comment, the Commission issued a Notice of Proposed Rule Making in January 1999. That Notice established a four month period for public comment, a relatively long comment period by agency standards, that was to end on May 12, 1999.

Following adoption of the Notice, the NAB and some of its members made a series of requests for extensions of the comment period. All four extension requests made by the NAB and its members were granted by the Commission, some over the vigorous objection of other parties. As a result of these extension requests, the original four-month comment period became a ten-month comment period, an extension of over six months.

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Throughout the extended comment period and thereafter, the NAB has filed voluminous comments, reply comments, technical studies, and other submissions. NAB staff has also met repeatedly with Commission staff and with the individual commissioners. In just the last eight days, the NAB has filed a set of "Further Comments" and a technical analysis review, and has met with FCC staff, including separate meetings with my chief of staff and my senior legal adviser. These filings and meetings by the NAB are in addition to numerous other filings and meetings undertaken by individual broadcasters that are NAB members.

I know that our staff has been as forthcoming as possible regarding the matters and various proposals at issue in this proceeding. I have also been quite clear as to my views, both in my meetings with the NAB and through my staff. And, through its extensive participation in this matter, the NAB has made its views quite clear as well.

For these reasons, I see no purpose for further delay and I will be placing this matter on the agenda of the next open Commission meeting, scheduled for January 20, 2000.

I appreciate your concerns and, as I have said repeatedly, I would never support any Commission action that would disturb the integrity of the free over-the-air radio service that has served the public so well for the better part of the last century. I am confident that the Commission's action in the low power FM proceeding will follow this principle.

Sincerely,

William E. Kennard
Chairman

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MM 99-25

DeForest Broadcasting Company, Inc.
509 Walnut Grove Drive, Madison, WI 53717
Tel: 608/829-1602, Email: mhoyer@chorus.net

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MAR 06 2000

January 17, 2000

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

FCC Chairman Kennard 202-418-1000 / fax 202-418-2801
The Portals II Building
TW-A325, 445 12th Street, S.W.
Washington, D.C. 20554

Regarding: FCC January 20th Vote On LPFM, MM Docket No. 99-25

Dear Chairman Kennard:

I support Low Power FM (LPFM) as outlined in the FCC's NPRM, docket MM 99-25.

It has come to my attention that the FCC intends to vote at its Jan 20th meeting to severely cut the (NPRM) proposal providing for only non-commercial stations with a maximum power of 100 watts (severely limiting coverage to only 3.5 miles instead of 9 miles for 1 kW).

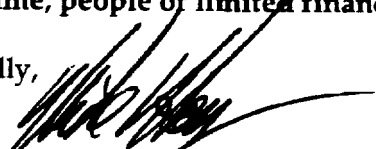
As you stated in Radio World April 15, 1998, you're interested in creating a low-power radio service, "so that small businesses and churches and community groups can use the airwaves to broadcast to their communities." To place such severe limits on LPFM would doom the service before it begins, making it impossible to obtain enough financial support. What reason can the FCC give for not permitting LPFM stations at 1000 watts, other than to protect NAB member stations from competition?

The public has overwhelmingly spoken on this matter by the thousands. To ignore the public and cave to political pressure from the National Association of Broadcasters (NAB) is a disgrace. Use of anti-competitive actions by the NAB should be investigated by the Justice Department.

The NAB tried to cause confusion on this issue by claiming that the new LPFM stations would cause interference to existing stations. A receiver study conducted by the FCC proved this to be incorrect. The NAB raised this smokescreen issue to attempt to conceal its real dislike for LPFM, the fact that it does not want competition for listeners or advertising revenues for its member stations. The FCC cannot prevent competition and is supposed to promote competition.

I hope the FCC will vote for LPFM in its full form as proposed in the NPRM to allow, for the first time, people of limited financial means to have a voice in broadcasting in America.

Respectfully,



Mike Hoyer - President, DeForest Broadcasting Company, Inc., Madison, WI

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Dear *F.C.C. CHAIRMAN KENNARD,*

I am a supporter of creation of a Low Power FM (LPFM) radio service as outlined in the FCC's Notice of Proposed Rulemaking in docket MM 99-25, which called for creation of 1000 watt and 100 watt commercial and non-commercial LPFM stations nationwide.

It has come to my attention that the FCC intends to vote at its Jan 20th meeting to severely gut this proposal (NPRM) providing for only non-commercial stations with maximum power of 100 watts (coverage thus limited to only 3.5 miles as opposed to 9 miles for a 1000 watt station).

To place such severe limits on LPFM would doom the service before it begins, making it impossible to obtain enough financial support without being able to sell commercial airtime, to exist.

What possible reason can the FCC give for not permitting commercially supported LPFM stations, other than to protect NAB member stations from competition? Commercial support has nothing to do with interference! There is no good reason to doom the LPFM service by taking away its ability to support itself by the sale of commercial advertising, a method of support that has served this nations stations well for over 75 years!

In fact to not allow commercial support would do a great dis-service to small businesses in America that cannot afford to advertise on full-power radio stations. Their needs would have been met by LPFM stations. A decision to not allow commercial support would have a vast negative impact on small business in America and may well violate some rules of the Small Business Administration.

I wish to remind you that there was an overwhelming number (thousands) of comments filed in this proceeding supporting the creation of 1000 watt and 100 watt stations, allowing for both commercial and non-commercial operation as set forth in the FCC's NPRM.

The public has spoken on this matter and to ignore this public mandate and cave in to political pressure from the National Association of Broadcasters (NAB) is a disgrace and use of such anti-competitive actions by the NAB should be investigated by the Justice Department.

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I would hope that the FCC would vote for LPFM in its full form as proposed in the NPRM or delay the vote to clear the way for a workable LPFM service of 1000 watt and 100 watt commercial and non-commercial stations.

Respectfully,



Chuck Patrick Mikolasek

1705 17th Avenue

Menominee, MI 49858

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http://www.fcc.gov

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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Respectfully,

Richard Hill
Bishop, CA.

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01/15/2000 8:48 AM



ARMED AND DANGEROUS -- Part 6

SWAT teams vs. airwave 'pirates'

Do unlicensed radio stations
pose threat to public?

ARE YOU Responsible
for this?
If you are you should resign!
God Bless
America!
May she rest in Peace!

Related Items

Part 1: Armed and Dangerous / Federal agencies expanding (8/15/97)

Part 2: Armed and Dangerous / National police force in training? (9/2/97)

Part 3: Armed and Dangerous / THE SECRET NATIONAL COPS (9/5/97)

Part 4: Armed and Dangerous / Even Feds can't count all their hired guns (9/29/97)

Part 5: Armed and Dangerous / Feds want to recruit foreign cops (10/6/97)

Part 6: Armed and Dangerous / SWAT teams vs. airwave 'pirates' (12/18/97)

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Joseph Farah's Between the Lines commentary -- part 1 (8/15/97)

Joseph Farah's Between the Lines commentary -- part 2 (9/2/97)

Joseph Farah's Between the Lines commentary -- part 3 (9/5/97)

By Sarah Foster

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With helicopters hovering overhead, dozens of federal and local agents armed with assault rifles stormed three homes in the Tampa, Florida, area, shattering the pre-dawn calm in otherwise quiet, family neighborhoods.

Were the targets of the coordinated attack dangerous terrorists? Drug dealers? Hired assassins? No, this show of federal force

was directed against people who operate unlicensed extremely low-frequency (under 100 watts) FM radio stations. It was initiated by the Federal Communications Commission that has made the elimination of unlicensed broadcasting operators a high-priority item.

Arthur Kobres, 53, was one of the three. Before the Nov. 19 raid he broadcast from his suburban home Lutz Community Radio -- a 24-hour conservative, Christian talk-radio station, which he said had been dubbed "Chuck Harder on steroids," a reference to the popular national conservative broadcaster. The 60-watt station had a range of about 10 or 12 square miles.

“They came here at about 6:45 in the morning and nearly frightened us to death,” said Kobres, recalling how he and his wife were awakened by a helicopter shining a spotlight in their window.

“It was a mini-Waco,” he continued. “We looked out, and there were wall-to-wall police cars, men-in-black carrying assault rifles. Some were running towards the house with one of those battering ram things. If we hadn’t opened the door, there’d have been no more door.”

As near as Kobres could tell, most of the fedcops were U.S. Marshals, though "no one bothered to identify themselves." Because FCC agents are not deputized to carry firearms, any gun-toting on a raid like this must be by personnel from other agencies. Kobres estimates there were about 20 agents at his home, some "running around with guns," a few unarmed FCC personnel and local sheriff's department representatives, "to hand over jurisdiction to the feds," he explained.

Mrs. Kobres, a teacher, had "about a hundred kids waiting," so she was allowed to dress and leave for work. Kobres, handcuffed, was driven to a federal jail where he was held while agents searched his home, removing all broadcasting equipment and demolishing the transmitter, which had a number of legal ham antennas attached. He was not released until he signed a statement, under duress, that he would not take any actions to recover his confiscated equipment.

"There was enough military force used to take over a small country," Brewer told WorldNetDaily. "Our home was invaded by over a dozen armed thugs with automatic weapons and we were held hostage for over 12 hours." The Brewers were ordered -- at gun point -- to lie face-down on the floor while they were handcuffed. Though his wife was soon released, Brewer was kept in handcuffs for two hours. "At one time there were more than 25 people here with guns -- this in addition to the 12 or 13 unarmed, but very arrogant FCC personnel," he said.

All his broadcasting equipment was taken, a crane was brought in to dismantle the tower, which was also used for licensed ham radio transmitting. As Brewer sees it, the agents went "way beyond" the scope of the warrant. In addition to the broadcasting equipment, they took 15,000 CDs, a video camera and equipment, and a digital clock.

Brewer believes the Wall Street Journal article of Oct. 21 helped trigger the attack by over-emphasizing his "redneck biker" image and calling attention to the "unprecedented boom in illegal broadcasting."

The FCC filed charges against me the same day that piece came out," he said. "A month later, they came after us."

Ironically, the Tampa raids occurred one week after Federal District Court Judge Claudia Wilken announced her ruling in favor of Stephen Dunifer of Free Radio Berkeley, another "pirate" at loggerheads with the FCC. The agency is seeking an injunction to close his down his 15-watt station -- which airs a mix of music and political commentary -- and threatens to fine him \$20,000. Judge Wilken's denied the motion and ordered the FCC to submit within 14 days a brief addressing the specific constitutional issues raised. The FCC has yet to respond.

"This (the raids by the FCC in Tampa) certainly shows that the FCC has nothing but contempt for due process and the Bill of Rights," said Dunifer.

San Francisco Liberation Radio's Richard Edmondson deplored the raid as "a display of lawless thuggery which demonstrates to me more clearly than ever that the U.S. government does not care

about its own courts, its own laws, or its own Constitution.”

The Florida raids sent shock waves through the micropower broadcasting community, which today includes hundreds of stations and potentially hundreds of thousands of listeners in this country -- and extends worldwide. Thanks to enormous strides in technology, it is possible for anyone to set up a radio station in their home, and literally hundreds of “pirate” stations are springing up in neighborhoods. Some cover just a few blocks, others entire communities. Their programming is as varied in content as the personal views of the broadcasters themselves: conservative, liberal, radical, ethnic, religious, atheist -- or completely non-ideological. There’s Black Liberation Radio, broadcast from a housing project in Springfield, Illinois; Guerrilla Radio in Bakersfield, Calif.; San Francisco Liberation Radio; Watts Up?!, in Los Angeles -- the list goes on and on.

The question many might ask is: if broadcasting without a license is illegal, why don’t would-be broadcasters simply get a license? It’s the old catch-22.

“What people don’t realize is, we can’t get a license -- and we’ve all tried,” said Kobres. The FCC will only grant licenses to stations of 100 or more watts. That wasn’t always the case. “Before 1978 if you wanted to operate a low-watt station, you could get a Class D license from the FCC, but the National Association of Broadcasters lobbied hard to get rid of these. Within a year, by 1979, they weren’t issuing the Class Ds anymore,” Kobres explained.

As Brewer sees it, the continued refusal to reopen the airwaves is driven by the large mainstream stations who want to dominate the market completely. These are the parties that complain to the FCC that a pirate station is interfering with reception in an area.

“We had too much popularity,” said Brewer. “People were listening to us -- we didn’t hurt anyone, we had fun, but we made the corporations look bad.”

The idea that corporations are behind the FCC’s crackdown on “pirates” and its refusal to grant licenses is shared by many in micropower broadcasting, and like Brewer they base their claims

on personal experience.

Mike Calderon, of Kansas City, Missouri, whose transmitter was seized Nov. 6, a couple of weeks before the Tampa raids, is one who agrees. Calderon had been broadcasting only six months before the FCC seized his transmitter, following a complaint to the FCC by a big, licensed station.

"They call us pirates -- you know who are the pirates? The big corporations that want to gobble everyone -- those are the pirates," Calderon remarked, bitterly.

Calderon featured Hispanic music, "to fill people's days with sunshine — and we ran public service announcements." As the only Spanish-language station in Kansas City, he could reach a segment of the city's population of anywhere from 55,000 to 90,000 people otherwise overlooked and unserved by other radio stations. "They complain about me — as if my little 65-watt 'candle' could interfere with their 1,000-watt 'floodlight,'" Calderon said. He, too, would like to see licenses routinely granted for stations under 100 watts.

“Corporate collusion” — Brewer’s words -- between the FCC and the National Association of Broadcasters, certainly seems to be a factor in the FCC attitude towards the micropower broadcasters, but it may not be the only one. Kobres suggested another, darker explanation. A year or so ago, he said, a law was passed replacing the Emergency Broadcasting System with a new Emergency Alert System. This required all licensed stations to put in special equipment (by Jan. 1, 1997), that enables the president to have “instant access to the airwaves” just by pressing a button. The rationale is that in case of a sudden emergency, the president can immediately alert the American people.

“When you think about it,” said Kobres, “The one thing certain people don’t want in that case is a bunch of little stations out there, uncontrolled, that can broadcast whatever they want.”

Sarah Foster is an associate of the Western Journalism Center and a reporter for its Internet newspaper WorldNetDaily.

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THOMAS BOYHAN
19005 TALON WAY
JUPITER, FLORIDA 33458
(561) 747-4641

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

January 10, 2000

Re: Low Powered FM Radio

Dear Chairman Kennard:

I have learned through various sources that the FCC intends to vote on a much watered down LPFM plan. As I understand it, the Commission plans to restrict the new stations to either 10 watts or 100 watts at roughly 100 feet. In addition, the new plan will restrict these stations to a non commercial status and retain the second and third adjacent channel restrictions.

To be blunt, if this is the plan that the FCC is planning to vote on, it is doomed to failure from the outset. If the second and third channel restrictions remain almost no one will qualify for a LPFM station. Add to this the restriction of 100 watts or less and you have severely limited the ability of anyone to succeed. And if you further restrict them to a non commercial status and you have "nailed the last nail in the coffin."

It seems clear that tremendous political pressure has been brought to bear by the large corporations that now control the vast majority of the stations in this country. They claimed from the outset that these new low powered FM stations would cause interference to existing stations and jeopardize IBOC. However, the FCC's own studies have proven that this is not the case. And the very fact that you would consider making the new stations non commercial proves the fact that the real focus of the existing media's objection to these new stations is financial.

Surely the thousands and thousands of responses in favor of the proposal must mean something. There is no doubt that this is an idea that the people want. Please don't let a few corporate executives block what is in the best interest of the American people.

Sincerely,


Thomas BoyhanNo. of Copies rec'd 2
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P.O. BOX 19031

NEW ORLEANS, LA 70179-0031

Phone: 504-942-8154 Fax 504-942-7800

Email: lmc@louisianamusic.org

Website: www.louisianamusic.org

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

via facsimile

M. J. "Mike" Foster, Jr.
GOVERNOR

January 18, 2000

Ellis L. Marsalis Jr.
CHAIRMANJane Ball
William C. Credo III
Stanley "Buckwheat" Dural
Jean Knight
Xiao-Lu Li
Leroy Martin
Ron Nethercutt
William Rucker
Wayne Sensat
Lawrence Sieberth
Ernest "Tabby" Thomas
Margaret Lewis Warwick
Jay Weigel
Roxy WrightIn Memory of
Dr. Thomas ComeauxBernie Cyrus
EXECUTIVE DIRECTOR
Steve Picou
ASSISTANT DIRECTOR
Nanette Struck
EXECUTIVE ASSISTANTChairman Billy Tauzin
2183 Rayburn Bldg.
Washington, DC 20515

Dear Chairman Tauzin:

It has come to our attention that the FCC hopes to implement a scaled down, non-commercial version of a Low Power FM service that will create important new opportunities for educational institutions, churches, local governments, and community organizations. In particular, access to the airwaves is critical for the success of the Louisiana music industry, and any expansion of non-commercial radio will turn into the types of critical exposure our artists need and deserve.

While the Internet and other digital technologies may become a long-term solution to these problems, in the short term FM radio is the only technology with universal penetration in this country. While we know you questioned the reach of the initial FCC proposal, we sincerely hope you will be supportive of this limited, non-commercial compromise position crafted by the FCC.

Sincerely,

Ellis L. Marsalis, Jr.Chairman
Louisiana Music Commissioncc: Chairman William Kennard
Commissioner Susan Ness
Commissioner Gloria Tristani
Commissioner Michael Powell
Commissioner Harold Furchgott-RothNo. of Copies rec'd 2
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Dear Chairman Kennard:

I am a supporter of creation of a Low Power FM (LPFM) radio service as outlined in the FCC's MAR 06 2000 Notice of Proposed Rule-making in docket MM 99-25, which called for creation of 1000 watt and 100 watt commercial and non-commercial LPFM stations nationwide. FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECRETARY

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To place such severe limits on LPFM would doom the service before it begins, making it impossible to obtain enough financial support, without being able to sell commercial air-time, to exist.

What possible reason can the FCC give for not permitting commercially supported LPFM stations, other than to protect NAB member stations from competition? Commercial support has nothing to do with interference! There is no good reason to doom the LPFM service by taking away its ability to support itself by the sale of commercial advertising, a method of support that has served this nations stations well for over 75 years!

In fact to not allow commercial support would do a great disservice to small businesses in America that cannot afford to advertise on full-power radio stations. Their needs would have been met by LPFM stations. A decision to not allow commercial support would have a vast negative impact on small business in America and may well violate some rules of the Small Business Administration.

I wish to remind you that there was an overwhelming number (thousands) of comments filed in this proceeding supporting the creation of 1000 watt and 100 watt stations, allowing for both commercial and non-commercial operation as set forth in the FCC's NPRM.

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Respectfully,

Zachary Owens

1824 S. IH-35 Apt 156

Austin, TX 78704

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JAN. 13. 2000 4:32PM
Dear FCC Chairman Kennard,

CATERPILLAR GET

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NO. 8953 P. 1

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UMB

I am a supporter of creation of a Low Power FM (LPFM) radio service as outlined in the FCC's Notice of Proposed Rulemaking in docket MM 99-25, which called for creation of 1000 watt and 100 watt commercial and non-commercial LPFM stations nationwide.

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Respectfully,

Chuck Murphy
302 East Euclid Avenue
Monmouth, IL 61462
309-734-3566

Chuck Murphy

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Chairman Kennard and Commissioners Ness and Cristani,

On the eve the historic LPFM vote, I would once again ask that you consider a commercial micro-service.

Please do not leave us without a reasonable means of support. One Watt, five, ten...any amount is better than no amount.

You've come so far with this proposal, please don't let it die here.

Thank you for your time. My thoughts and encouragement are with you.

Sincerely,

Gary Nixon
4760 Haase Drive
Fair Oaks, CA 95628-5825
916-967-2930 Home
800-304-0996 Pager/voice mail (toll free)

January 19, 2000

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MAR 06 2000

To: Chairman William E. Kennard
Federal Communications Commission
Washington D.C. 20554

From: Vic Missirian
49 S. Baldwin Ave. Suite D
Sierra Madre, Ca 91024

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

RE: LPFM

January 18, 2000

Dear Chairman William Kennard

I am a big supporter of Low Power FM radio service as outlined in the FCC's NPRM Docket MM 99-25.

Recently it came to my attention that the FCC intends to vote on LPFM at its January 20th meeting.

Please kindly vote yes for the creation of Low Power FM service which is a very much needed community service.

LPFM stations should be able to sell enough advertising time to pay for operating expenses or else they will not survive.

2nd & 3rd adjacent channel requirements should be dropped for LPFM stations or else many large cities will not have any such station where locally oriented service is most needed.

Please kindly support Commercial LPFM and do not disregard the supportive comments filed by thousands of individuals and organizations.

Sincerely,


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MM 99-25

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Fax cover sheet**Page 1 of 8****RECEIVED**

MAR 06 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**To: Chairman William Kennard****Fr: Mac England, for 7 citizens in Flagstaff****Note:**

Representative Hayworth,

I know you are quite busy these days, but please take a moment to note the concerns of citizens in Flagstaff, Arizona regarding low-power FM. The accompanying pages came in too late for me to mail so I am faxing them now (I know there are others following as well) and will mail the hard copies first class tomorrow so you have original documentation.

Have a great day!

Mac England

Mountain Air Community Radio

13 N. San Francisco Street, #101

Flagstaff, Az. 86001

520-214-9679

macr@infomagic.comNo. of Copies rec'd 2
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

January 19, 2000

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Dear Chairman Kennard,

I would like to express my support for the FCC's Notice of Proposed Rulemaking in docket MM 99-25, relating to the creation of a Low Power FM (LPFM) radio service. However, I recently learned that the FCC is considering making LPFM services non-commercial only, and is also considering limiting power to 100 watts with an antenna height of 30 meters. I would like to encourage you to vote AGAINST these harsh restrictions.

I currently work at a radio station, arguably the most prominent radio station in the country, KIIS-FM (102.7, Los Angeles). While my views in no way reflect the opinion of my employers or the company, based on what I have learned from working in commercial radio, the creation of a non-commercial service and/or such a short broadcast range would doom the service from the very start. Low power stations would have to struggle to simply break even. The concept of low power stations was in part to give local businesses the opportunity to advertise on a mass medium, the creation of a non-commercial service would defeat that concept. I do not understand what the purpose would be for not permitting commercial support of a low power service. Additionally, such a low power limit would also limit a station to function commercially, and would limit LPFM stations to small sized communities. In larger towns, an effective range of 3.5 miles is far from sufficient to cover an entire community.

Please vote for LPFM in its full form as proposed in MM 99-25, which called for the creation of 1000 watt and 100 watt commercial and non-commercial stations.

Thank you,

Christian Wiehl
1160 Encino Drive
San Marino, CA 91108
626-792-2823

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MAR 06 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Fax

Name: Chuck Brush

Company:

Voice Number: 713-460-1041

Fax Number: 713-460-1041

8510 Sonnevile

Houston, Texas 77080

MM 99-25

EX PARTE OR LATE FILED

Date: Thursday, January 20, 2000

Total Pages: 1

Subject: LPFM

Name: FCC Chairman Kennard

Company:

Voice Number:

Fax Number: (202) 4182801

Note: Dear Sir, Please don't pass a diluted version of the LPFM proposal.
Your original plan is worthy and creative, please stick by it.
Sincerely, Chuck Brush

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MM 99-25

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WCPE

Great Classical Music, 24 Hours A Day

January 12, 2000

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MAR 06 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Chairman William E. Kennard
8th Floor, B201 Portals
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Kennard,

I hope you will take a few moments to scan these two older articles from the IRE, the Institute of Radio Engineers, which is now known as the IEEE, the Institute of Electrical and Electronics Engineers. It is the largest engineering society in the world.

I am sending you this material today via fax, and have mailed original copies to you via priority mail. The fax copy was sent to meet the one week deadline so that you may consider this material in your January 20th meeting. The originals are being mailed to you in the event the fax copy is difficult to read.

Please take time to scan this material. It is my effort to show you that the FCC staff engineers have given you an erroneous conclusion to the LPPM issue, by measuring a quantity which is only indirectly related to the interference issue. To put it bluntly, your engineers data is flawed, and you should ask if their method has ever been used in the past as the primary determination used to set interference criteria. To my knowledge, the answer is "no".

I have given you three articles in this package.

The first is an article published in "IRE Transactions" in April, 1962. It shows how to calculate the signal-to-noise ratio for FM stereophonic service. This directly relates to LPPM and its impact on existing stations.

The second is a study of the interference effects caused by SCA (Subsidiary Communications Authorization), also from the IRE proceedings. This study is included as an example of the proper way to calculate and measure interference. It is a short technical "hop" to transition from the study of SCA interference to the study of adjacent channel interference caused by LPPM.

The third article is a chapter from a Bell Telephone tutorial on radio communications, and shows how to calculate the interference from one transmitter to another. It is particularly significant, as the article was written by engineers to be an entry level tutorial, and is not particularly difficult to understand. Remember that the phone company depended heavily on microwave radio communication for its long distance networks, and had to learn to calculate, measure, and compromise, in the real world, everything there was about interference and crosstalk for its systems to work properly. The compatibility and interference issue is also a requirement for LPPM.

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Note that all of the studies use signal to noise as the measure of interference -- this is the basic method of measuring impairment to a service, even if it is weighted subjectively.

All of these studies are over thirty years old, and I have chosen them to demonstrate that this is not new physics -- the rules of the technical game were set infinitesimal moments after universe was created in the "Big Bang" and they will remain the same to this day.

I would like you to consider that several items must be worked through first before you enter into Low Power FM rulemaking:

First, you must bring the non-commercial FM second adjacent channel standard up to that of the commercial FM second adjacent channel standard. Physics does not allow you to have two standards for the same exact physical situation.

Second, you must enact non-commercial FM adjacent channel "grandfathered" standards equivalent to that of the commercial FM adjacent channel "grandfathered" standards. Good public policy requires you to treat the same exact physical situations with the same regulations.

Third, you must allow existing broadcasters an adequate period to upgrade their facilities to the new standards if they so wish, and you should allow them encouragement to change their transmitter locations and/or channel allocations by minor amounts so that they can optimize service area and minimize interference potential -- this can only make more efficient use of the FM band.

Fourth, you must establish a protected secondary service area for FM stations. FM is the only service without a recognized secondary service area, and again, good public policy requires you to give FM broadcasters the equivalent secondary service protection as you give AM broadcasters, VHF-TV low band and high band and UHF band broadcasters.

Fifth, you must determine the technical specification for Digital Audio Broadcasting and determine the impact of existing FM stations to the transition to digital broadcasting, just as you have for digital television.

Then, and only then, you may consider the addition of additional channels to all the broadcasting bands for use by the general public, both an aural service, and a television service. Yet again, good public policy requires you to treat the similar situations similarly, and there is no reason that there cannot be a Low Power "People's" AM and FM Service, a Low Power "People's" Digital AM and FM Service, and a Low Power "People's" Analog and Digital Television Service, all logically allocated within these same regulations.

But it must be properly and correctly planned and allocated, and that will take a prudent amount of time and study. It is your charge to regulate in a prudent, logical, and responsible manner, just as those who are regulated by you must operate their facilities in a prudent, logical, and responsible manner.

Sincerely,



Deborah S. Proctor, IEEE, CPBE
General Manager

IRE Transactions



ON BROADCAST AND TELEVISION RECEIVERS

INTERNATIONAL CONVENTION ISSUE

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APRIL, 1962

Number 1

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PROFESSIONAL GROUP ON BROADCAST AND TELEVISION RECEIVERS

SOME NOTES ON THE CALCULATION OF THE S/N RATIO FOR A FM SYSTEM EMPLOYING A DOUBLE SIDEBAND AM MULTIPLEX SIGNAL

From Some Unpublished Calculations By:

Norman Parker
Motorola, Inc.
Franklin Park, Illinois

By: Donald W. Ruby
Zenith Radio Corporation
Chicago, Illinois

SUMMARY: Equations are developed which determine the S/N ratio for both a monophonic and stereophonic signal including the effect of deemphasis. A S/N ratio loss of 23 Db is indicated.

It is first desirable to obtain an expression for S/N ratio in an FM receiver which is operating with sufficient signal level to produce coherent or above threshold reception.

Assume that the IF is flat topped and sufficient B.W. to transmit the signal given by

$$M(t) = A_c \sin(\omega_c t + \frac{F}{f_m} \sin \omega_f t) \quad (1)$$

where $M(t)$ is the instantaneous signal at the output of the IF and A_c = peak carrier voltage

ω_c = angular velocity of the carrier signal.
 F = maximum deviation of the carrier in cps.
 f_m = modulating frequency in cps.
 ω_f = modulation angular velocity.

Now if the signal is passed through a discriminator having a slope

m = volt/radian of discriminator
(m is such that $e_s \approx 0$ when $F = 0$)

$e_s = m \omega_f \cos \omega_f t$ = discriminator signal voltage and the signal power (normalized to a 1 ohm load)

$$S_o = \frac{m^2 \omega_f^2}{2} \text{ watts of signal power} \quad (3)$$

At the same time the electrical noise output of the discriminator caused by an electrical noise component ΔN volts in the IF output is given by

$$e_n = \frac{m \Delta N}{A_c} \omega_c \cos(\omega_c t + \phi) \quad (4)$$

ω_c = angular noise velocity

A_c = peak carrier voltage

ΔN = incremental IF noise voltage

m = discriminator slope volts/radian

The incremental detector noise power is given by

$$\Delta N_n = \frac{m^2}{2} \left(\frac{\Delta N}{A_c} \right)^2 \omega_c^2 \quad (5)$$

If the incremental IF noise power in watts/cycle is given by n then

$$N = \sqrt{2\pi f} \text{ or } \frac{\Delta N}{2} = n \text{ df}$$

where n = watts/cycle of IF noise

N = peak IF noise voltage in increments of df and

$$\Delta N_n = \frac{m^2 \omega_c^2}{A_c^2} n \text{ df}$$

Now since A_c is the peak carrier voltage the IF peak carrier power (normalized to 1 ohm) is given by

$$P_c = \frac{A_c^2}{2} \quad (6)$$

$$\Delta N_n = \frac{m^2 \omega_c^2}{2 P_c} n \text{ df} = \frac{2\pi m^2 \omega_c^2 f}{P_c} n \text{ df} \quad (7)$$

The total noise in the discriminator output is produced by all noise components which can beat with the carrier to produce a signal falling within the passband of B of the audio or useable signal channel. This includes components from B cycles below to B cycles above, and the bandwidth of the IF does not affect the S/N when operating above threshold.

$$\text{Therefore, } N_n = \frac{m^2 \omega_c^2}{2 P_c} \int_{-B}^B n \text{ df} \quad (8)$$

$$= \frac{4\pi m^2 \omega_c^2 B^2}{3 P_c}$$